

# Boulder Police Department: Marijuana Inspection Report used for OPC, MC and MIP

(updated: Feb 2016)

<b>Date and Time of Inspection:</b>		<b>Name of Inspector(s):</b>		<b>Type of Inspection:</b>	
<b>Date and Time of Report:</b>		<b>Beverley Bookout</b>		<p>A copy of the inspection reports are sent to the Inspection team and to the licensee</p> <p>App.#</p>	
<b>Business Name and Type:</b>		<b>Business Address:</b>			
<b>Owner/Manager Present:</b>		<b>Email Address:</b>			
<b>Checked</b>	<b>Item to be inspected/considered</b>			<b>Municipal Code</b>	<b>Comments</b>
	<b>License Required</b> (It shall be unlawful for any person to operate a marijuana business without obtaining a license to operate pursuant to the requirements of this chapter and holding a license in good standing from the state.			6-14-3 (a) 6-16-3(a) Retail	Must be displayed in the business – see below
	<b>Fixed Location Required</b> (It shall be unlawful to operate a marijuana business or grow marijuana outside of a locked enclosed space within a building )			6-14-7 (a) 6-16-7(a)	
	<b>Onsite Use Prohibited</b> (No marijuana shall be smoked, eaten or otherwise consumed or ingested within the marijuana business)			6-14-8 (a) 6-16-8(a)	No use of marijuana is allowed onsite at any licensed location. Advise your patients/customers to leave the store and parking lot before using their purchase. Employees at all locations are also prohibited from using marijuana products in the licensed area and can be ticketed if found smoking marijuana in close proximity of the licensed business (consumption in public prohibited 5-10-2).
	<b>Restriction on Access to Restricted Areas</b> (Medical: No person other than a patient, licensee, employee, or a contractor, shall be in restricted area. No patient shall be allowed entry into the restricted area without			6-14-8 (b)	The foyer of a co-located dispensary is not part of the “restricted access area.”

	<p>showing a valid picture ID and evidence that the person is patient.</p> <p>Retail: No person under twenty-one years of age shall be in the business premises. No person shall be allowed entry into the business premises area without valid picture identification. Electric scanner used.</p> <p>Fraudulent IDs or IDs in the possession of another maintained for law enforcement.</p>	6-16-8(b)	For a “retail only” dispensary no one under 21 is allowed on the licensed premise.
	<p><b>Display of Licenses Required</b> (The name and contact information for the owner and any business manager, the marijuana business license, and the sales tax license shall be conspicuously posted in the business)</p>	<p>6-14-8 (c)</p> <p>6-16-8(c)</p>	Once you receive your business license from City licensing please post it at the entrance of the OPC, MIP or MC. Please post emergency contacts at this location as well.
	<p><b>Business Conducted within Building</b> (Any and all production, distribution, possession, storage, display, sales or other distribution shall occur only within the licensed premises and shall not be visible from the exterior of the building)</p>	<p>6-14-8 (d)</p> <p>6-16-8(d)</p>	Exterior windows where MJ is located or processed need to be blacked out so MJ cannot be seen by a person on the outside of the business looking in.
	<p><b>Owner or Business Manager Required on Premises</b> (No licensed premises shall be managed by any person other than the licensee or the business manager listed on the application and shall be onsite at all times that the business is open or in the possession of another person). If a manager is removed from that position City licensing must be notified within 5 days.</p>	<p>6-14-8 (e)</p> <p>6-16-8(e)</p>	A licensee or manager, who has been approved by Boulder’s licensing division as a manager, is required to be present when the business is open or employees are working on the licensed premise. A manager listed with the City of Boulder is different than a Key badge holder.
	<p><b>Hours of Operation</b> (The marijuana business shall be closed to the public and no sale or other distribution of marijuana shall occur upon the licensed premises or via delivery from the licensed premises between the hours of 7pm and 8am)</p>	<p>6-14-8 (f)</p> <p>6-16-8 (f)</p>	
	<p><b>Limitations on Inventory</b> (The medical marijuana business shall not maintain any more marijuana than is permitted under applicable law for the patients which have designated the business as primary caregiver.  More than 6 plants and 2 oz per patient is allowable if accompanied by a legitimate recommendation from a physician)</p> <p><b>Retail</b> – Shall not maintain any more marijuana within the premises than the amount stated on the business’ license application to the State of</p>	<p>6-14-8 (j)</p> <p>6-16-8(j)</p>	

	Colorado and city. No plants are allowed at center or MIP. OPC - One thousand plants provided any plant count over the number the license is for has an additional fee of \$1 per plant. MIP- 600 lbs of marijuana that has not been incorporated into a product and 150 lbs infused product.		
	<b>Delivery to Patients</b> (Medical Marijuana shall be packaged, sealed, and labeled, to include patient name. Deliverer shall have patient documentation according to ordinance. Maximum 8 oz for delivery in one trip. Can only deliver between 8am and 7pm).  <b>Retail-</b> No sales except directly to user; no deliveries. No sales shall be made via telephone, internet, or other means of remote purchase.	6-14-8 (l)  6-16-8(l)	
	<b>Delivery Between Marijuana Businesses</b> (All marijuana-infused products are hand packaged, sealed, and labeled and the products stored in a closed container. <b>All Marijuana in a usable form is packaged and stored in a closed container and labeled</b> ).	6-14-8 (m)  6-16-8(m)	A manifest must be submitted by email to the City of Boulder (marijuanamaneifest@bouldercolorado.gov) documenting the transfer. The bounce back email the business gets when submitting the manifest is an acknowledgement of the shipment and should be presented if driver is contacted by police.
	<b>Disposal of Marijuana and Marijuana Byproducts</b> (All marijuana and any product containing a usable form of marijuana shall be disposed of in a manner that prevents any person or animal from being able to ingest it and must be made unusable and unrecognizable).	6-14-8 (n)  6-16-8(n)	All byproduct or leaf/bud/stems need to be made unusable and unrecognizable before the product leaves the licensed premises. There should be no identifiable marijuana, leaf or bud, just green matter mixed with dirt.
	<b>Records to be Maintained</b> (Each licensee shall keep a complete set of books of account, invoices, copies of orders and sales, shipping instructions, bills of lading, weigh bills, correspondence, bank statements and all other records necessary to show transactions)	6-14-9(a)  6-16-9(a)	Records are kept on line using the MED system called METRC. A local jurisdiction has the authority to request copies of that paperwork and it must be provided within a reasonable amount of time. Local jurisdictions have no access to METRC.
	<b>Disclosure of Records</b> (By accepting the marijuana business license, the licensee is providing consent to disclose the information required by this chapter, including information about patients and caregivers)	6-14-9(c) 6-16-9(c)	Self-explanatory
	<b>Consent to Inspection of Records</b> (Acceptance of the business license constitutes consent by the licensee, owners, managers, and employees to	6-14-9 (e) 6-16-9(e)	Self-explanatory

	permit the city manager to conduct routine inspections of the licensed business to ensure compliance with this chapter)		
	<b>Reporting of Source, Quantity and Sales</b> (Records maintained include source and quantity of marijuana distributed, produced, or possessed)	6-14-9 (f)  6-16-9(f)	Self-explanatory
	<b>Cameras</b> (The marijuana business shall install and use security cameras to monitor all areas of the licensed premises where persons may gain or attempt to gain access to marijuana or cash maintained by the marijuana business. Recordings shall be maintained for a minimum of 30 days in a secure off-site location)	6-14-10 (a)  6-16-10(a)	City of Boulder requires cameras to be at all ingress and egress locations and anywhere there is marijuana and cash. Business is required to have an off-site recording and has to be at another location within Boulder City limits or easily accessible in the Cloud when requested by LE.
	<b>Use of Safe for Storage</b> (The marijuana business shall install and use a safe for overnight storage of any processed marijuana and cash on the premises with the safe being incorporated into the building structure or securely attached thereto. Bakery refrigerators or regular stand alone refrigerators/freezers are authorized as long as they have a hasp and lock and are securely attached to the structure).	6-14-10 (b)  6-16-10(b)	Purpose: If the business gets burglarized and the product (any marijuana flower, edibles or infused product) is put in the safe which prevents theft and having MJ and MJ products illegally out in the community or on the black-market. Marijuana that is considered “finished product” at an OPC must go in the safe if left at the OPC over night.
	<b>Alarm System</b> (The business shall install and use a monitored alarm system)	6-14-10 (c)  6-16-10(c)	On renewal I call the alarm company to make sure the business still has alarm coverage.
	<b>Report of Criminal Activity</b> (Reports of all criminal activities or attempts thereof shall be reported to the Boulder Police Department within 12 hours of occurrence).  It is important to report criminal activity around marijuana business for statistical purposes. If a dumpster is getting broken into repeatedly why is that? <b>Only lock the dumpster if there is marijuana waste in it</b> otherwise leave it unlocked so the lid can be opened without damaging the lock or dumpster. Pull the dumpster inside the building (if possible) until trash pick-up day or <b>put your marijuana waste in the dumpster only on trash day</b> . Cameras angled to cover a larger area would also be helpful.	6-14-10 (d)  6-16-10(d)	Example: If your dumpster is broken into you need to file a police report. If the dumpster and the lock is damaged the victim will also be Western disposal. To make a report call the non-emergency number for the police department. Check your video to see if you can get a plate number or description of a person or vehicle and report that as well. If you check your surveillance video and there is no evidence to report you can do an on-line

			report.
	<b>Requirements for Public Health and Labeling:</b> <b>Medical Marijuana-Infused Products</b> (The production of any medical marijuana-infused product shall be at a medical marijuana-infused product manufacturer that meets all requirements of a retail food establishment. The production of any product containing marijuana shall comply with all health and safety standards thereof. The licensee shall comply with all applicable state and local health regulations related to the production, preparation, labeling and sale of prepared food items.	6-14-11(a)  6-16-11(a)	
	<b>Labeling and Packaging Requirements</b> (Must identify that marijuana is present in food item, amount of marijuana, intended for use solely by patient to whom it is sold, not for resale to a third person, include all ingredients and indicate potential food allergy ingredients, as well as the following Warning: THIS PRODUCT IS MANUFACTURED WITHOUT ANY REGULATORY OVERSIGHT FOR HEALTH, SAFETY OR EFFICACY. THERE MAY BE HEALTH RISKS ASSOCIATED WITH THE INGESTION OR USE OF THIS PRODUCT)	6-14-11 (b)  6-16-11(b)	As of October 2013 all exit packaging must be able to be resealed as child proof after the first time the package is opened. Most of this type of packaging comes packaged as required from the MIP.
	<b>Additional Requirements for Extracts</b> (For products containing medical marijuana extracted from the plant, including, without limitation, tinctures, balms, oils, butters or candies, the label shall also include the name of the extraction fluid (butane, CO2 etc) used, the strength of the medical marijuana in the extraction fluid and the amount of the extract in the sealed product.	6-14-11 (c)	The requirement for type of extraction process used is for medical marijuana only. It is not a requirement for edibles sold at retail locations
	<b>Prohibited Acts (1-25)</b> (i.e. patient cannot resell their marijuana, use marijuana in a public place, use marijuana, alcohol, or other controlled substance on premises etc.,	6-14-13 (1-25)  6-16-13 (1-25)	Prohibited acts are ordinances any Boulder police officer can write when necessary.
Yes	<b>Security plan is consistent with plan submitted during application process, including lighting configuration</b>  <b>After license approval making changes to the building footprint must get licensing approval (floor plan, security plans etc). The request for change must be submitted to licensing, building and planning or both prior to any changes being made. Permits must be obtained for most changes. Check before going forward with changes to businesses</b>		Please post your emergency contact list and your security diagram at all entrance/exits. Please note "YOU ARE HERE" at each applicable location on the diagram. The emergency contact list is for officers to use if they need someone to respond in case of an emergency and the diagram is due to some of the OPCs have thousands of

	<b>after the initial license approval.</b>		square feet and multiple entrance/exits. The floor/security plan is also re-evaluated on the renewal inspection for any changes made during the year.

Additional Comments: The below paragraph was added at the request of the City Attorney.

This report is the determination of this department of the City of Boulder, and does not reflect a determination of any other department of the City Marijuana Licensing Authority. This report will be provided to the Marijuana Licensing Authority. Any violations identified in this report may result in the filing of criminal charges and may also result in the suspension, revocation, non-renewal, or denial of the City of Boulder Marijuana Business License for this business.

The municipal ordinances listed, above in column three, are for medical marijuana (6-14). Recreational marijuana code is written under 6-16 and is highlighted in blue.